

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

October 8, 2003

DIVISION ONE

B156018 Lionel A. Daley (Not for Publication)
 v.
 Gilbert S. Azafrani

We modify the order taxing costs by increasing the amount of the award from \$210.17 to \$725.91. As modified, the orders are affirmed. The parties shall bear their own costs on appeal.

Ortega, J.

We concur: Spencer, P.J.
 Mallano, J.

B165508 People (Not for Publication)
 v.
 Gozy

The judgment is affirmed.

Ortega, J.

We concur: Spencer, P.J.
 Vogel (Miriam A.), J.

October 8, 2003 (Continued)

DIVISION FOUR

B162632 People v. Scovill (Not for Publication)

The judgment is affirmed.

Curry, J.

We concur: Vogel (C.S.), P.J.
Hastings, J.

DIVISION FIVE

B158884 People (Not for Publication)
v.
Jose De La Cruz

The judgment is affirmed.

Armstrong, J.

We concur: Grignon, Acting P.J.
Mosk, J.

B161928 Leodis Ford (Not for Publication)
v.
Gwendolyn Runnells

The order is reversed. Each party to bear it own costs on appeal.

Armstrong, J.

We concur: Grignon, Acting P.J.
Mosk, J.

DIVISION SIX

Court convened at 9:00 A.M.

Present: Gilbert, P.J., Yegan, J., Coffee, J., Perren, J. and G. Bents, Senior Deputy Clerk.

B165840 Human Services Agency v. Rosalba M.

Argument waived, cause submitted.

B161721 Marriage of Falk

Argument continued to November, 2003.

B154971 Moses
v.
H.R. Textron, Inc.

Merits:

Argued by Gerald M. Serlin for appellant and by Harold M. Brody for respondents. Cause submitted.

B157587 Levy
v.
City of Santa Monica

Merits:

Argued by Joseph Lawrence, Assistant City Attorney, for appellants and by Christopher M. Harding for respondents. Cause submitted.

B160662 Salvin
v.
Ionex Telecommunications

Merits:

Argued by Christopher J. Kondon for appellants and by Scott A. Marks for respondent. Cause submitted.

DIVISION SIX (Continued)

B161988 Kalbak
 v.
 Chavez

Merits:
Argued by Karen Marie Bray for appellant and by Esther R. Sorkin for respondent. Cause submitted.

B159280 Homberg
 v.
 J.F. Shea Co.

Merits:
Argued by Vatche Chorbajian for appellants and by Stacey Friedman Blank for respondent. Cause submitted.

Perren, J. left the bench.

B162846 Taylor
 v.
 Lockheed Martin Corp.

Merits:
Argued by Mary Alice Lehman for appellant and by Leonora M. Schloss for respondent. Cause submitted.

Court recessed at 11:50 A.M.

Court reconvened at 1:30 P.M.

Present: Gilbert, P.J., Yegan, J., Coffee, J., Perren, J. and G. Bents, Senior Deputy Clerk.

Each of the following:

B165061 Boynton v. Gourley
B166139 Adlawan v. Adlawan

Argument waived, cause submitted.

DIVISION SIX (Continued)

B163553 Franklin v. Carrows Restaurants

Argument continued to November, 2003.

B164128 Nation
v.
Nation

Merits:

Argued by Tamara Lynn Harper for appellant and by Denise Abundis Brogna for respondent. Cause submitted.

B162566 Linden
v.
American Express Financial Advisors, Inc.

Merits:

Argued by Brandon S. Reif for appellants and by Wendy C. Lascher for respondent. Cause submitted.

Court recessed at 2:30 P.M.

Court reconvened at 2:40 P.M.

Present: Gilbert, P.J., Coffee, J., Perren, J. and G. Bents, Senior Deputy Clerk.

B161905 People
v.
Caro

Merits:

In open court Presiding Justice Gilbert makes a disclosure regarding Henry Freedman, Esq. Counsel do not oppose Presiding Justice Gilbert's participation in this matter.

Argued by Keith Sippelle for appellant and by Matthew A. Smith, Assistant County Counsel, for respondent. Cause submitted.

DIVISION SIX (Continued)

B162438 Dixon
 v.
 Litton Loan Servicing

Merits:

Argued by J. Thomas Cairns for appellant and by Glenn J. Campbell for respondent. Cause submitted.

Court adjourned at 3:45 P.M.

DIVISION SEVEN

B158740 People v. Garcia, Jr. (Not for Publication)
B168742 In re Garcia, Jr. on Habeas Corpus

The petition for writ of habeas corpus is denied. The judgment is vacated and remanded to the trial court. On remand, the trial court is directed to (1) vacate the abstract of judgment; and (2) order a new abstract of judgment pursuant to the views expressed in this opinion about the calculation and award custody credits. The court is further ordered to direct the Clerk of the Superior Court to prepare and send a new abstract of judgment to the Department of Corrections. The judgment is affirmed in all other respects.

Woods, J.

We concur: Perluss, P.J.
 Johnson, J.

B160402 People (Not for Publication)
 v.
 McGowan

The judgment is affirmed.

Johnson, J.

We concur: Perluss, P.J.
 Woods, J.

October 8, 2003 (Continued)

DIVISION SEVEN (Continued)

B159671 People (Not for Publication)
v.
Lipscomb, et al.

The judgments are modified to reflect defendants' sentences on the convictions for robbery are stayed. Upon issuance of the remittitur the superior court shall cause its clerk to prepare amended abstracts of judgment and to forward them to the Department of Corrections. In all other respects the judgments are affirmed.

Johnson, J.

We concur: Perluss, P.J.
Woods, J.